

BILL NO. Z-87-05-29

ZONING MAP ORDINANCE NO. Z-

*Withdrawn*

AN ORDINANCE amending the City of  
Fort Wayne Zoning Map No. E-2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is  
hereby designated a POD (Professional Office District) under  
the terms of Chapter 33 of the Code of the City of Fort  
Wayne, Indiana of 1974:

EXHIBIT "A"

Part of the Northeast Quarter of Section 7, Township 30  
North, Range 12 East, Allen County, Indiana, more  
particularly described as follows, to-wit:

Commencing at the Southwest corner of the Northeast  
Quarter of Section 7, Township 30 North, Range 12 East;  
thence North, along the West line of said Northeast  
Quarter also being the centerline of Getz Road, a  
distance 212.75 feet; thence East, perpendicular to  
said West line, a distance of 40.0 feet, to the true  
point of beginning; thence North, parallel with said  
West line, a distance of 162.75 feet; thence East,  
perpendicular to said West line, a distance of 227.6  
feet; thence South, parallel with said West line, a  
distance of 162.75 feet; thence West, perpendicular to  
said West line, a distance of 227.6 feet to the true  
point of beginning, containing 0.850 acres of land.

and the symbols of the City of Fort Wayne Zoning Map No. E-  
2, as established by Section 11 of Chapter 33 of the Code of  
the City of Fort Wayne, Indiana are hereby changed  
accordingly.

SECTION 2. That this Ordinance shall be in full force  
and effect from and after its passage and approval by the  
Mayor.

*Janet H. Bradbury*  
Councilmember

APPROVED AS TO FORM AND LEGALITY:

*Bruce O. Boxberger*  
BRUCE O. BOXBERGER, CITY ATTORNEY



Read the first time in full and on motion by Bradbury, seconded by Quade, and duly adopted, read the second time by title and referred to the Committee Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ .M., E.S.

DATE: 5-26-87 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, placed on its' passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>EISBART</u>	_____	_____	_____	_____	_____
<u>GiaQUINTA</u>	_____	_____	_____	_____	_____
<u>HENRY</u>	_____	_____	_____	_____	_____
<u>REDD</u>	_____	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: \_\_\_\_\_ SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,

ATTEST: (SEAL)

SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ .M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ .M., E.S.T.

WIN MOSES, JR., MAYOR



**ORIGINAL**  
COUNCILMANIC DISTRICT No. \_\_\_\_\_

**DIGEST SHEET**

Admn. Appr. \_\_\_\_\_

**ORIGINAL**

Zoning Ordinance Amendment

**TITLE OF ORDINANCE** \_\_\_\_\_

**DEPARTMENT REQUESTING ORDINANCE** \_\_\_\_\_ Land Use Management - CD&P

**SYNOPSIS OF ORDINANCE** \_\_\_\_\_ 1907 Getz Road

389-0529

**EFFECT OF PASSAGE** \_\_\_\_\_ Property is presently zoned R-1 - Single Family Residential.  
Property will become POD - Professional Office District.

**EFFECT OF NON-PASSAGE** \_\_\_\_\_ Property will remain R-1 - Single Family  
Residential.

**MONEY INVOLVED (Direct Costs, Expenditures, Savings)** \_\_\_\_\_

**(ASSIGN TO COMMITTEE (J.N.))** \_\_\_\_\_



# Division of Community Development & Planning

2-87-05-29

BILL NUMBER

## BRIEF TITLE

Zoning Ordinance Amendment

From R-1 to POD

## APPROVAL DEADLINE

## REASON

## DETAILS

### Specific Location and/or Address

1907 Getz Road

### Reason for Project

Construction of an office for use by a dentist and optometrist.

THIS REQUEST HAS BEEN WITHDRAWN BY THE PETITIONER

### Discussion (Including relationship to other Council actions)

18 May 1987 - Public Hearing

Bruce Snyder, attorney for the petitioners Dr. & Mrs. Wayne Gilmore stated that the petitioners wanted to rezone in order to construct a 30' 72' structure in order to provide an office space for Dr. Gilmore and his son. He stated that Dr. Gilmore is a dentist and his son is an optometrist and that they presently live in the existing structure that is on the property. He stated that they intend to continue to live on the property. He stated that they would construct a building which would be compatible with their existing structure. He stated that they anticipate 10 to 15 parking spaces on the property. He stated that this would be a very low volume, very low traffic project. He stated that the proposed access will be from the south side of the property. He stated there are two accesses on the property, the one on the north side would remain as a private entrance. He stated that they intend to leave as much of the natural landscaping on the property as possible, removing only those trees necessary for the

## POSITIONS

## RECOMMENDATIONS

### Sponsor

City Plan Commission

### Area Affected

City Wide

Other Areas

### Applicants/ Proponents

### Applicant(s)

Wayne & Lois Gilmore  
City Department

Other

### Opponents

### Groups or Individuals

### Basis of Opposition

### Staff Recommendation

☐ For ☒ Against

### Reason Against

-would establish a precedent  
in the Getz Road area  
-adverse impact on area

### Board or Commission Recommendation

### By

☐ For ☐ Against  
☒ No Action Taken

☐ For with revisions to conditions  
(See Details column for conditions)

### CITY COUNCIL ACTIONS (For Council use only)

☐ Pass ☐ Other

☐ Pass (as amended) ☐ Hold

☐ Council Sub. ☐ Do not pass



# DETAILS

new construction. Mr. Snyder stated that the present water and sewer lines on the property presently should be adequate for the use they are proposing. He stated that the building and parking area will cover 3500 sq ft and the total area is 36,000 sq ft.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

1 June 1987 - Business Meeting

Motion was made to accept the requested withdrawal.

Of the 8 members present 7 voted in favor of withdrawal, one (1) did not vote.

Motion carried.

## POLICY/PROGRAM IMPACT

Policy or  
Program  
Change

☐

No

☐

Yes

Operational  
Impact  
Assessment

(This space for further discussion)

Project Start

Date

20 April 1987

Projected Completion or Occupancy

Date

15 June 1987

Fact Sheet Prepared by

Date

15 June 1987

Patricia Biancaniello  
Reviewed by

Date

6/15/87

*Lucy Bieten*  
Reference or Case Number

# RECEIPT

ck # 1708

COMMUNITY DEVELOPMENT & PLANNING

No 1190

FT. WAYNE, IND., 4-30 1987

RECEIVED FROM Bruce Snyder \$ 50.00

THE SUM OF fifty 00/100 DOLLARS

ON ACCOUNT OF

1907 Setzkel

AUTHORIZED SIGNATURE



RECEIPT NO. \_\_\_\_\_

THIS IS TO BE FILED IN DUPLICATE

DATE FILED \_\_\_\_\_

INTENDED USE \_\_\_\_\_

I/We Wayne W. & Lois A. Gilmore  
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne  
Indiana, by reclassifying from a/an R-1 District to a/an P.O.D.  
District the property described as follows:

See Attached

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED: 1907 Getz Road., Fort Wayne, Indiana  
46804

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one  
percentum (51%) or more of the property described in this petition.

<u>Wayne M. Gilmore</u>	<u>1907 Getz Road</u>	<u>Fort Wayne, In 46804</u>
<u>Lois A. Gilmore</u>	<u>1907 Getz Road</u>	<u>Fort Wayne, In. 46804</u>
(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_  
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

<u>Bruce R. Snyder</u>	<u>333 Metro Building</u>	<u>219-422-8484</u>
<u>Fort Wayne, Indiana 46802</u>		
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning  
and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street  
Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

See Attached

Owners of Property

Wayne M. Gilmore	1907 Getz Road Fort Wayne, Ind. 46804	<i>Wayne M Gilmore</i>
Lois A. Gilmore	1907 Getz Road Fort Wayne, In. 46804	<i>Lois A Gilmore</i>
(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE  
This form is to be filed in duplicate.

NOTICE:  
FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST  
"OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.  
  
FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING  
FROM BEING HELD.



EXHIBIT "A"

Part of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at the Southwest corner of the Northeast Quarter of Section 7, Township 30 North, Range 12 East; thence North, along the West line of said Northeast Quarter also being the centerline of Getz Road, a distance of 212.75 feet; thence East, perpendicular to said West line, a distance of 40.0 feet, to the true point of beginning; thence North, parallel with said West line, a distance of 162.75 feet; thence East, perpendicular to said West line, a distance of 227.6 feet; thence South, parallel with said West line, a distance of 162.75 feet; thence West, perpendicular to said West line, a distance of 227.6 feet to the true point of beginning, containing 0.850 acres of land.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 26, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-05-29: and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 18, 1987.

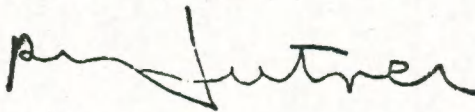
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 1, 1987.

Certified and signed this  
15th day of June 1987.

A handwritten signature in dark ink, appearing to read "R. Hutner", is written over a horizontal line.

Robert Hutner  
Secretary



BILL NO. Z-87-05-29

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of

Fort Wayne Zoning Map No. E-2

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)

(~~RESOLUTION~~) withdrawn

YES

NO

Janet G. Bradbury JANET G. BRADBURY  
CHAIRPERSON

Charles B. Redd CHARLES B. REDD  
VICE CHAIRMAN

Thomas C. Henry THOMAS C. HENRY

Paul M. Burns PAUL M. BURNS

Ben A. Eisbart BEN A. EISBART

CONCURRED IN 7-14-87

SANDRA E. KENNEDY  
CITY CLERK

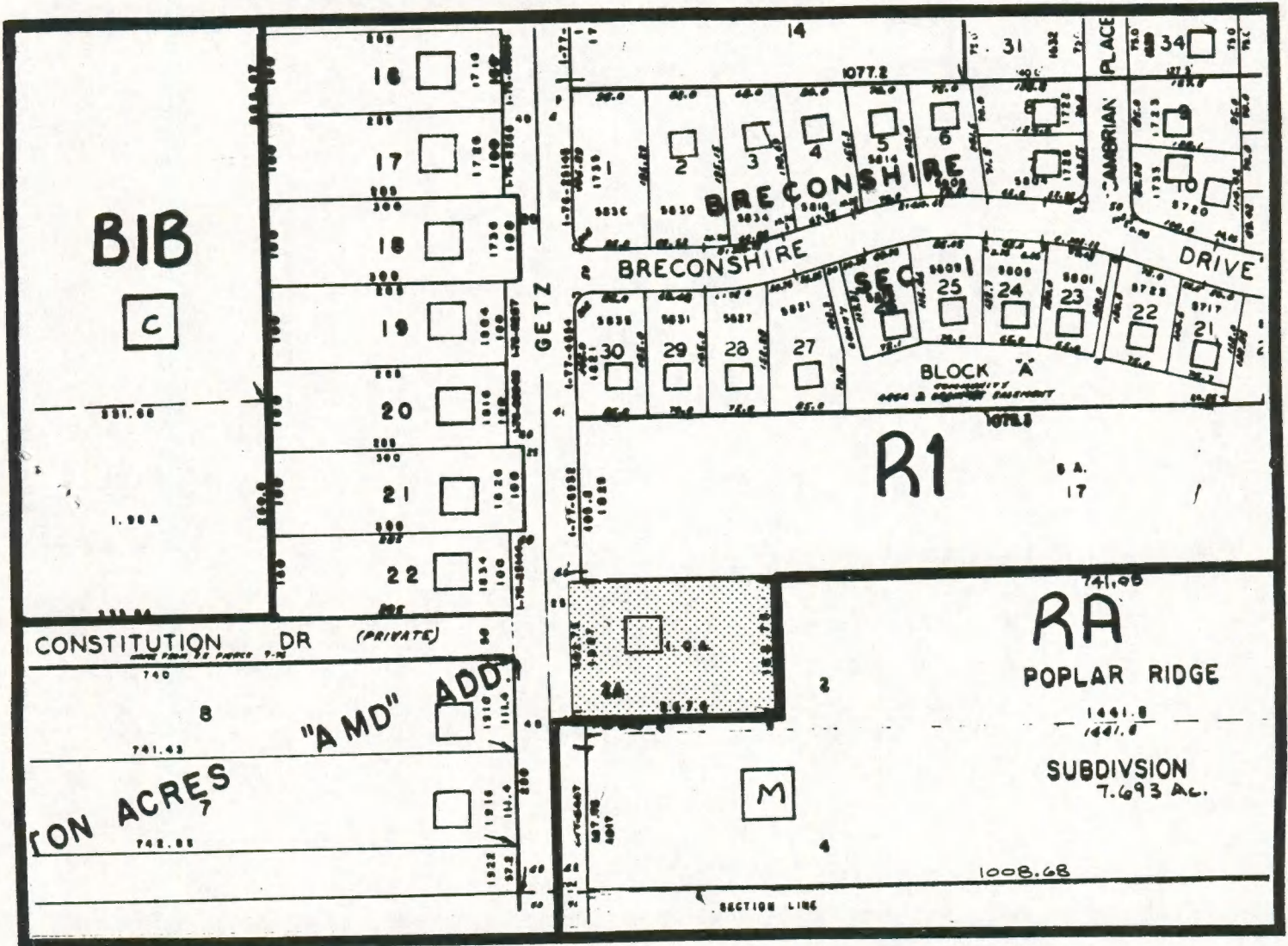


# REZONING PETITION # 970

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-1 DISTRICT TO A P.O.D. DISTRICT.

MAP NO. E-2

COUNCILMANIC DISTRICT NO. 4



## ZONING:

R1 RESIDENTIAL DISTRICT  
RA RESIDENCE 'A'  
BIB LIMITED BUSINESS 'B'

## LAND USE:

- ☐ SINGLE FAMILY
- ☒ MULTI-FAMILY
- ☐ COMMERCIAL
- ☐ PUBLIC-CHURCH

SCALE: 1"=200'

DATE: 4-27-87

